

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
THE MANAGEMENT GROUP, LLC, ANDREW  
FOX, and LEE HEIMAN,

Plaintiffs,

- against -

ANGEL MUSIC GROUP LTD., NEIL MOFFITT,  
NICK McCABE, JESSIE ANGLES, ANU DHAMI,  
ISABEL PIAGGI, and DAN A. VIDAL,

Defendants.  
----- x

08-02172(PKC)

**AFFIDAVIT OF DAN A. VIDAL  
IN SUPPORT OF MOTION TO DISMISS**

STATE OF FLORIDA       )  
                              :       SS.:101-68-4036  
COUNTY OF DADE       )

DAN A. VIDAL, being duly sworn, says:

1. I am a citizen of the United States and of the State of Florida. I reside at 4510 NE 2<sup>nd</sup> Ave, Apt 4, Miami, FL 33137. I was served with the complaint in this action on March 14, 2008.

2. The complaint against me should be dismissed for lack of personal jurisdiction. I do not live in New York. I do not own property in New York. I do not work in New York. I never contracted to deliver any good or service in New York. I did no tortuous act that had an effect in New York. I transact no business in New York.

3. The complaint against me alleges a number of common-law causes of action arising out of my departure from the employment of Plaintiff The Management Group, LLC ("TMG") and my joining Defendant Angel Music Group, Ltd. ("Angel").

4. Both TMG and Angel manage musical artists on a worldwide basis. I worked for TMG from 01/01/2005 until 12/12/2007 as a photo editor. I had no employment contract with TMG during my employment there. At all times during my employment with TMG I was located in the State of Florida. I delivered services to TMG from the office in Florida to its worldwide client base. I did not travel to New York for business and did not otherwise avail myself of this jurisdiction for any purpose.

5. I communicated with employees of TMG in New York and elsewhere as part of my duties, but as shown in the accompanying memorandum of law, this is insufficient to support jurisdiction in New York.

WHEREFORE, the motion to dismiss the complaint as against me should be granted.

April 7, 2008

KARAAHMETOGLU & LUZ FIRM LLP

By: /S/  
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*Attorneys for Defendants Nick McCabe, Jessie  
Angles, Anu Dhami, Isabel Piaggi, and Dan A.  
Vidal*

State of Florida  
County of Dade county  
Sworn to (or affirm) and subscribed before me this 4th day of  
April, 2008 by Daniel Vidal  
(seal)  
Personally known OR Produced Identification X  
Type of Identification Produced 10' V240-161-79-108-0

